

REGULAR CITY COUNCIL MEETING

MAY 5, 1986

PRESENT

Ruth Hansen
Gayle Bunker
David Church
Don Dafoe
Neil Dutson
Craig Greathouse

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Dorothy Jeffery
Warren Peterson
John Quick
Tom Hamilton
Dan Randall
Richard K. Turner
David Corey
Neil Forster
Roger Young
Alan Riding
Doyle Bender
Sue Callister
Max Wood
LaMond Palmer
Dr. Thomas Chandler
Morris Burton
Martin Ludwig
Richard Waddingham
Rita Byrd
Rob Hender
Jack Fowles

City Manager
City Recorder
City Attorney
City Engineer
U.S. Postal Service
Del Park
Richard K. Turner, CPA
City Building Custodian
Public Works Director
Chief of Police
Asst. Public Works Director
City Treasurer
City Secretary
Parks & Recreation Director
City Maintenance
City Resident
Police Officer
City Resident
City Attorney's Office
City Billing Clerk
KNAK Radio Station
Planning Commission Chairman

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda were posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held April 21, 1986, were presented for Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Don Dafoe MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a second Public Hearing held April 21, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Craig Greathouse MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further questions or comments regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The minutes of a Regular City Council Meeting held April 21, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further questions or comments regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The minutes of a Special City Council Meeting held April 28, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the minutes. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment, as listed, in the amount of \$14,234.02. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

TOM HAMILTON: CONSIDERATION OF PLACEMENT OF NEIGHBORHOOD BOX UNITS IN DELTA CITY BUSINESS DISTRICT

Mayor Hansen recognized Mr. Tom Hamilton, U.S. Postal Service Postmaster for Delta, and asked him to address the Council.

Mr. Hamilton presented a request to install Neighborhood Box Units (NBU's) and a letter drop box in the downtown business district in Delta. The Council discussed various locations where the NBU's could be installed.

Following a brief discussion, Council Member Gayle Bunker MOVED to allow the U.S. Postal Service to install an NBU at approximately 266 West Main Street and a letter drop box at approximately 295 West Main Street. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

DAN RANDALL: CONSIDERATION OF FINAL ACCEPTANCE OF DEL PARK - PARK AREA

Mayor Hansen recognized Mr. Dan Randall, owner of Del Park, and asked him to address the Council.

Mr. Randall said that he would like the Council to consider final acceptance of the public park dedication in the Del Park Annexation.

Mayor Hansen reviewed the following memorandum:

TO: MAYOR HANSEN, JIM ALLAN, WARREN PETERSON
FROM: MAX WOOD
SUBJECT: DEL-PARK REQUIREMENTS
DATE: APRIL 17, 1986

To my knowledge the following requirements have not been met by Mr. Searle or Mr. Randall with regards to Del-Park.

1. Water rights have not been dedicated.
2. An easement to the Park until 550 South Street is improved and dedicated has not been recorded.
3. An easement for drainage has not been completed.
4. A deed to the property has not been recorded.

These were the requirements with regard to legal matters on the property. Attorney Peterson and I have communicated over the phone today and he assured me he will check on the status of the above mentioned requirements by Monday, April 21, 1986, and sent a letter to Mr. Randall concerning this matter.

Prior to the City taking over the Park, we need to make sure that 1) the sprinkler system is completely operational, 2) a quick coupler has been added to provide access for draining sprinkler lines (winterizing), and 3) all dead trees have been replaced from winter kill. If you have any further questions with regard to this matter - please contact me.

MAX WOOD, PARKS & RECREATION

Following a brief discussion, Council Member Gayle Bunker MOVED to accept the proposed public park dedication in the Del Park Annexation conditioned on completion of the requirements defined in the above memorandum from Max Wood. Council Member Neil Dutson SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

RICHARD K. TURNER: CONSIDERATION FOR RICHARD K. TURNER, CPA, TO CONDUCT DELTA CITY 1985-1986 AUDIT

Mayor Hansen asked Richard K. Turner, CPA, to present a proposal for Delta City's 1985-1986 annual audit.

Richard K. Turner reviewed a proposal for Delta City's 1985-1986 year end audit. He estimated cost of the audit to be \$7,700. Following a brief discussion of the proposal, Council Member Gayle Bunker MOVED that the Council accept the proposal from Richard K. Turner, CPA, to do Delta City's 1985-1986 fiscal year audit. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further questions or comments regarding the motion or proposal. There being none, she called for a vote. The motion passed unanimously.

JIM ALLAN: CONSIDERATION OF CONTINUED CONTRACT WITH JOHN WILLIE FOR PLANNING SERVICES

Mayor Hansen asked City Manager Jim Allan to discuss with the Council consideration of a continued contract with John Willie for planning services.

Jim Allan presented the following letter from John C. Willie:

Mr. Jim C. Allan, City Manager
City of Delta
Delta, UT 84624

Dear Jim:

Pursuant to our brief discussion at Council Meeting last week, I shall write you a note relative to the consideration of my continued work with the City of Delta for the coming year. Having spent some 6 years now working, in one way or another, with the City, I have come to appreciate very much the opportunity of working with the people of the Delta area.

This past year I have met with the Planning Commission at their meetings, with the City Council upon their request and with any other of the City staff that has requested a meeting. In addition, we have completed the update of the Master Plan, prepared a map of the future growth area of the City, including the Airport annexation area, and have, finally, completed work on the update of the City Zoning Ordinance.

During the coming year, I would propose to do essentially the same. That is:

1. Meet with the Planning Commission at their regular meetings to advise them regarding the administration of the Zoning and Subdivision Ordinances, and to generally advise them of correct planning principles and policies relative to items on their agenda.
2. Meet with the Zoning Administrator to review all zone change requests and to prepare recommendation sheets for the Planning Commission for all changes in the development zones, as required by the ordinance.
3. Make any corrections necessary to the zoning map and coloring of same for display and use by the City.
4. Meet with the City Council, upon their request, to discuss any planning items relative to the City.
5. Prepare copies of the Zoning Ordinance, etc., as may be requested by the City, making any changes or amendments from time to time that may be found necessary in the use of the new zoning ordinance.
6. Perform such other duties or assignments as may be made from time to time by the Planning Commission or Council.

In reviewing the cost to the City for this type of service for the year, I would base it generally upon the number of visits that were made this past year, so far, which have averaged just slightly over one visit per month, along with the work done here in the office that I have brought with me on trips to Delta. On that basis, I believe that we would be looking at something in the neighborhood of \$3,600.00 for the coming year. It could be paid out in any manner convenient to the City; however, the lump sum payment at the beginning of the year last year was very useful at that time and saved the City the book work of monthly payments during the year. However, any method would be acceptable.

Again, I have appreciated the opportunity to work with the City and would hope that the association may continue for the foreseeable future.

Sincerely,

John C. Willie AICP, ASLA
Consulting Planner - Landscape Architect

Jack Fowles, Planning Commission Chairman, suggested that Delta City use John Willie on an "as needed" basis rather than on a contract basis.

Following further discussion, Council Member Don Dafoe MOVED to instruct City Manager Jim Allan to contact John Willie to discuss the possibilities of working for Delta City on an hourly basis. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

DAVID COREY: CONSIDERATION OF DELTA CITY MUNICIPAL BUILDING CUSTODIAL SERVICES CONTRACT

Mayor Hansen recognized David Corey and asked him to present his proposal to the Council for renewal of the Delta Municipal Building custodial services contract.

LaMond Palmer was asked to give an evaluation of the contract performance provided by Mr. Corey. Mr. Palmer said he had reviewed and evaluated Mr. Corey's custodial services and recommended that Mr. Corey be offered an extended contract.

Mr. Corey presented and reviewed in detail the following letter with the Council:

TO: Jim Allan - Delta City Manager
Delta City Council
FROM: David Corey
REGARDING: Custodial Contract

The Contract for cleaning the City Building ends on July 31, 1986. I would like to make a proposal concerning an extension of the Contract. There has been concern about the painting of the walls in parts of the building. They are nearly impossible to get clean without washing the paint off and leaving even more noticeable bare spots. I have had experience painting over the last 15 years. I would be willing to supply the labor it takes to paint various parts of the sheetrock areas of the building. The City would be responsible to finance and supply the paint and other supplies to accomplish this project.

Please consider the following:

1. For a five year extension of the contract at the same rate, I would paint (one coat) the sheetrock areas listed below:
 1. Police area:
 - Main Hall and Ceiling
 - Ceiling in officers room
 - Foyer -- wall only
 - Floors of the holding cells
 - Sergeants room
 - Chief's office
 2. Library -- walls only
 3. Main Offices:
 - Hallway
 - Conference room
 - Neil's Office
 - Rita's Office
 - Jerry Reagan's Office
 - Justice of the Peace Office
 - Foyer - Including Susan's & Doyle's area
 - Computer Room
 - Dorothy's Office
 - Virginia's Office
 4. Chamber of Commerce:
 - Conference Room
 - Chamber of Commerce Office
 - Foyer -- walls and ceiling
 5. Walls in Council Chambers

I would like to be able to work according to my own schedule. I would be unable to just go in and get it all accomplished in a short period of time. Most of the work would be night and Saturday work. I would also have to work around my family priorities.

Mr. Corey said that he is presently doing the custodial work at the rate of \$1150 per month and would continue at that rate for a five-year extension of the present contract.

Attorney Peterson expressed his concern whether extending the contract for five years complied with applicable state law and the City Policies and Procedures Manual and said that he would do some research regarding these issues.

Following a brief discussion, Council Member Don Dafoe MOVED to approve a five-year extension of Mr. Corey's Custodial Contract subject to the City Attorney's review. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

NEIL FORSTER: CONSIDERATION OF ACQUISITION OF RON SMITH PROPERTY LOCATED NORTH OF CITY SHOP

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council the proposed acquisition of property located north of the City Shop at 500 North 100 West.

Mr. Forster said that Ron Smith contacted him and said that he would consider selling his property located north of the City Shop. Mr. Forster said that he did make a tentative offer of \$8,000 for 1.38 acres, which Mr. Smith agreed to, with a stipulation that the City fence the property. Mr. Forster said that there is money in the budget for the land acquisition and for an obscuring fence.

Following a brief discussion, Council Member Gayle Bunker MOVED to authorize purchase of property directly north of the present City yard from Ron and Diane Smith at a price of \$8,000.00, adding with necessary costs, including fencing the property with obscuring fencing, and to instruct Neil Forster to complete the purchase and fencing. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

NEIL FORSTER: CONSIDERATION OF SMALL METER REPLACEMENT PROGRAM

Mayor Hansen requested that Public Works Director Neil Forster present his proposal for a water meter replacement program.

Neil Forster reviewed background information regarding replacement of small water meters and said that during the past several years, 400 small meters have been replaced. Mr. Forster said there is money in the budget for the purchase of additional small replacement water meters and requested approval to purchase 400 meters.

Following a brief discussion Council Member Gayle Bunker MOVED to approve the purchase of 400 small meters to replace old meters in the Delta City Culinary Water System. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

ROGER YOUNG: CONSIDERATION OF --

- A. DESIGNATED SPEED LIMIT SIGNS IN DELTA CITY
- B. DESIGNATED THROUGH STREETS IN DELTA CITY
- C. DESIGNATED NO PARKING STREETS IN DELTA CITY
- D. WEIGHT LIMITATIONS ON STREETS IN DELTA CITY

Mayor Hansen asked Chief of Police Roger Young to review with the Council the following Appendices to the Delta City Ordinances:

Prima Facie Speed Limit within Delta City Limits

1.	SR 50	690 E.	Speed Limit Sign Posted	40 MPH	West bound
2.	SR 50	690 E.	Speed Limit Sign Posted	55 MPH	East bound
3.	SR 50	Jct 6	Speed Limit Sign Posted	30 MPH	West bound
4.	SR 50	Jct 6	Speed Limit Sign Posted	40 MPH	East bound
5.	Hwy 6	450 N.	Speed Limit Sign Posted	55 MPH	North bound
6.	Hwy 6	450 N.	Speed Limit Sign Posted	40 MPH	South bound
7.	SR 50-6	600 W.	Speed Limit Sign Posted	30 MPH	East bound
8.	SR 50-6	600 W.	Speed Limit Sign Posted	40 MPH	West bound
9.	300 E.	Main St.	Speed Limit Sign Posted	30 MPH	West bound
10.	50 E.	Main St.	Speed Limit Sign Posted	30 MPH	West bound
11.	400 W.	Main St.	Speed Limit Sign Posted	30 MPH	East bound
12.	300 W.	100 S.	Speed Limit Sign Posted	20 MPH	North bound
13.	300 W.	100 S.	Speed Limit Sign Posted	20 MPH	South bound
14.	100 W.	50 S.	Speed Limit Sign Posted	30 MPH	South bound
15.	100 W.	450 S.	Speed Limit Sign Posted	30 MPH	North bound

All other unposted Delta City Streets will be 25 MPH.

APPENDIX

Dedicated Delta City Through Streets within City Limits

1.	Birch Road	E/W
2.	Cemetery Road	E/W
3.	Center St.	N/S
4.	Locust Ave.	N/S
5.	Millard Road	N/S

6.	Sunset Ave.	N/S
7.	Thomas Road	N/S
8.	100 West	N/S
9.	300 East	N/S
10.	350 East	N
11.	500 West	S

Delta City Weight Limit Ordinance

1. Delta City dedicated streets weight limitations 5 ton exemption
 - a. Loading and unloading
 - b. Entering or leaving a job site

APPENDIX

Delta City Parking Signs

No Parking At Any Time

1. Delta Community Medical Center - Front Door
2. In front of Delta City Fire Station
3. Delta City streets smaller than 40 feet wide

Two Hour Parking 8 a.m. to 6 p.m.

Between 100 West to 300 West on Main Street (E/W)

No Truck Parking on 350 E. Main Street North

5 Ton Trucks and Above

Mr. Thomas Chandler, City Resident, spoke in favor of the placement of speed limit signs and not allowing trucks to park along 350 East Street.

Attorney Peterson explained that the Delta City Code of Ordinances was adopted in 1981 without the above appendices being included. He said that sections within the Code of Ordinances without the appendices will have to be readopted by the Council.

Following further discussion, Council Member David Church MOVED to approve preparation of documents necessary to adopt the proposed Appendices on street designations, through streets, weight limitations, speed limits, and no parking zones as appendices to Title 1100 of the Revised Ordinances of Delta City (1981 Edition). Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY WARREN PETERSON: CONSIDERATION OF PROPOSED RESOLUTION PROVIDING
FOR DESIGNATED WORK PERIOD FOR CERTAIN CITY EMPLOYEES

Mayor Hansen asked Attorney Warren Peterson to present a proposed resolution providing for establishment of designated work periods for certain City employees.

Attorney Warren Peterson presented a proposed resolution entitled:

RESOLUTION NO.

A RESOLUTION REPEALING SECTION 4 OF THE DELTA CITY PERSONNEL POLICIES MANUAL; ADOPTING A DESIGNATED WORK PERIOD FOR PUBLIC SAFETY EMPLOYEES OF DELTA CITY; AMENDING SECTION 13 OF THE DELTA CITY PERSONNEL POLICIES MANUAL; (INCREASING THE GRADE LEVEL FOR THE DELTA CITY LIBRARIAN) AND ESTABLISHING GUIDELINES FOR ISSUANCE AND APPROVAL OF TRAVEL VOUCHERS.

Attorney Warren Peterson reviewed in detail the proposed resolution with the Council and asked them to review and consider it for the next regular City Council meeting.

Attorney Peterson also reviewed a memorandum to Jim Allan from Attorney Richard Waddingham, dated April 24, 1986, copies of which had been provided to the Council regarding Application of Fair Labor Standards Act Provisions to Public Safety Employees. He explained that, in his opinion, the police officers have not been receiving proper compensation for overtime hours in excess of 40 hours for a 5 day work week up to 171 hours in a 28 day work period. He said the officers may not have been receiving up to 11 hours overtime pay per 28 day work period, which amounts to approximately \$5,000 to date in back pay that should be given to the police officers either in compensatory time or dollars.

This item was tabled for further review by the Council.

ATTORNEY WARREN PETERSON: CONSIDERATION OF FINAL DRAFT OF PROPOSED
COMPREHENSIVE AMENDMENTS TO THE ZONING ORDINANCE

Mayor Hansen asked Attorney Warren Peterson to discuss with the Council the final draft of proposed comprehensive amendments to the Zoning Ordinance.

Attorney Peterson displayed a proposed zoning map and reviewed it with the Council and recommended several changes.

The Council concurred that the proposed zoning map should be referred back to the Planning Commission for their recommendations and corrections before being adopted by the Council.

ATTORNEY WARREN PETERSON: CONSIDERATION OF PROPOSED RESOLUTION EXPRESSING
OPPOSITION TO PORTIONS OF H.R. 3838 PERTAINING TO TAX EXEMPT STATE AND LOCAL
GOVERNMENT FINANCING

Mayor Hansen asked that Attorney Peterson review with the Council a proposed resolution expressing opposition to portions of H.R. 3838 pertaining to tax exempt state and local government financing.

Attorney Peterson presented a proposed resolution entitled:

RESOLUTION NO. 86-146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH, EXPRESSING OPPOSITION TO THE PASSAGE OF H.R. 3838, OF THE TAX REFORM ACT OF 1985, AMENDING SECTION 103 AND CERTAIN OTHER SECTIONS OF THE INTERNAL REVENUE CODE OF 1954, AS AMENDED, AS THEY PERTAIN TO TAX EXEMPT STATE AND LOCAL GOVERNMENT FINANCINGS, WHICH PROPOSED PROVISIONS WOULD SEVERELY LIMIT THE ABILITY OF STATE AND LOCAL GOVERNMENTS TO FINANCE AND RE-FINANCE PROJECTS BENEFICIAL TO THE PUBLIC BY MEANS OF TAX EXEMPT FINANCING.

Following a brief discussion of the proposed resolution, Council Member David Church MOVED to adopt Resolution No. 86-146. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote, which was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY WARREN PETERSON: CONSIDERATION OF PROPOSED RESOLUTION AUTHORIZING
DELTA CITY'S PARTICIPATION IN UTAH MUNICIPAL FINANCE COOPERATIVE POOLED
FINANCING PROGRAM

Mayor Hansen requested that Attorney Warren Peterson review with the Council a proposed resolution authorizing further consideration of Delta City's participation in Utah Municipal Finance Cooperative Pooled Financing Program.

Attorney Peterson presented a proposed resolution entitled:

RESOLUTION NO. 86-147

A RESOLUTION AUTHORIZING DELTA CITY TO ENTER INTO AN INTERLOCAL COOPERATION ACT AGREEMENT UNDER AUTHORITY OF TITLE 11, CHAPTER 13, UTAH CODE ANNOTATED (1953), AS AMENDED, TO CREATE AND BECOME A MEMBER OF THE UTAH MUNICIPAL FINANCE COOPERATIVE POOLED FINANCING PROGRAM.

Following a brief discussion, Council Member Don Dafoe MOVED to adopt Resolution No. 86-147. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote, which was as follows:

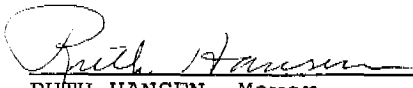
Council Member Gayle Bunker	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member David Church	Yes
Council Member Craig Greathouse	Yes

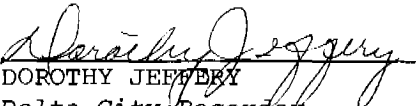
Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

OTHER BUSINESS

Fire Chief Bryce Ashby asked for the Council's direction regarding the fireworks display on the 4th of July. The Council told Chief Ashby to proceed with the ordering of the fireworks.

Mayor Ruth Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. The motion was SECONDED by Council Member David Church. Mayor Hansen declared the meeting adjourned at 10:30 p.m.


RUTH HANSEN, Mayor

Attest: 
DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: June 9, 1986